11-30-00

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PATENTS, TRADEMARKS, COPYRIGHTS AND RELATED MATTERS

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(1921-1997)

November 29, 2000

REISSUE PATENT APPLICATION TRANSMITTAL

Attorney Docket Number WWSM 2473
First Named Inventor Chun Yuen To
Original Patent Number 5,842,807
Original Patent Issue Date December 1, 1998
Express Mail Label Number EL594421343US
Total Pages

TO: Assistant Commissioner for Patents
Box Reissue
Washington, D.C. 20231

APPLICATION FOR REISSUE OF: [X] Utility Patent
[ ] Design Patent

APPLICATION ELEMENTS

1. [X] Fee Transmittal Form
(submit an original and a duplicate)

2. [ ] Applicant claims small entity status

3. [X] Specification and Claims in double column copy of patent format (amended, if appropriate)

4. [X] Drawing(s) (proposed amendments, if appropriate)

5. [X] Reissue Oath/Declaration (original or copy)

6. Original U.S. Patent Currently Assigned? [X] Yes [ ] No
If yes, check applicable box:
[X] Written Consent of all Assignees
[X] 37 CFR 3.73(b) Statement [ ] Power of Attorney

ACCOMPANYING APPLICATION PARTS

7. [X] Statement of status/support for all changes to the claims. See 37 CFR 1.173(c)

8. Original U.S. Patent for Surrender

   [ ] Ribboned Original Patent Grant
   [ ] Statement of Loss

9. [ ] Foreign priority claim (if applicable)

10. [ ] IDS and PTO-1449 [ ] Copies of IDS Citations

11. [ ] English Translation of Reissue Oath/Declaration (if applicable)

12. [ ] Preliminary Amendment

13. [X] Return Receipt Postcard

14. [X] Other: Offer to Surrender original U.S. Patent

15. [X] Correspondence Address: Customer No. 000321
    Attention: Kurt F. James

Respectfully submitted,

Kurt F. James

Kurt F. James, Reg. No. 33,716

KFJ/DWT/cak

PTO/SB/56 (08-00)
Approved for use through 12/30/2000. OMB 0651-0033
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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REISSUE APPLICATION FEE TRANSMITTAL FORM

Docket Number (Optional): WWSM 2473

JC914 U.S. PTO 09/725788 11/29/00

Claims as Filed - Part 1

Claims in Patent		Number Filed in Reissue Application	(3) Number Extra	Small Entity Rate	Small Entity Fee		Other than a Small Entity Rate	Other than a Small Entity Fee
(A) 23	Total Claims (37 CFR 1.16(j))	(B) 33	**** 10 =	x $ ____ =		or	x $ 18 =	180
(C) 1	Independent claims (37 CFR 1.16(i))	(D) 3	* 2 =	x $ ____ =			x $ 80 =	160
			Basic Fee (37 CFR 1.16(h))	$ ____				$ 710
			Total Filing Fee	$			OR	$ 1050

Claims as Amended - Part 2

	(1) Claims Remaining After Amendment		(2) Highest Number Previously Paid For	(3) Extra Claims Present	Small Entity Rate	Small Entity Fee		Other than a Small Entity Rate	Other than a Small Entity Fee
Total Claims (37 CFR 1.16(j)	***	MINUS	**	* =	x $ ____ =			x $ ____ =	
Independent Claims (37 CFR 1.16(i))	***	MINUS	*****	=	x $ ____ =			x $ ____ =	
				Total Additional Fee		$		OR	$

* If the entry in (D) is less than the entry in (C), Write "0" in column 3.

** If the "Highest Number of Total Claims Previously Paid For" is less than 20, Write "20" in this space.

*** After any cancellation of claims.

**** If "A" is greater than 20, use (B - A); if "A" is 20 or less, use (B - 20).

***** "Highest Number of Independent Claims Previously Paid For" or Number of Independent Claims in Patent (C).

☐ Applicant claims small entity status. See 37 CFR 1.27.

☐ Please charge Deposit Account No. _____ in the amount of _____.
A duplicate copy of this sheet is enclosed.

☐ The Commissioner is hereby authorized to charge any additional fees under 37 CFR 1.16 or 1.17 which may be required, or credit any overpayment to Deposit Account No. _____.
A duplicate copy of this sheet is enclosed.

☒ A check in the amount of $ 1050.00 to cover the filing / additional fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

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November 29, 2000
Date

Kurt F. James
Signature of Applicant, Attorney or Agent of Record

Kurt F. James
Typed or printed name

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WWSM 2473
REISSUE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Reissue Application No. (TO BE ASSIGNED)
Filed (TO BE ASSIGNED)
Original Patent No. 5,842,807
Issued December 1, 1998
Patentee Chun Yuen To
Title RING BINDER

COMMISSIONER OF PATENTS AND TRADEMARKS
WASHINGTON, D.C. 20231

ASSENT OF ASSIGNEE AND
CERTIFICATE UNDER 37 CFR 3.73(b)

World Wide Stationery Manufacturing Company Limited, a company organized and existing under the laws of Hong Kong, Republic of China, certifies that it is the assignee in the patent application identified above by virtue of an assignment from the inventor of the entire interest in the original patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel 8344, Frame 0668. A copy of the assignment and notice of recordation is attached.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee and hereby assents to the accompanying application for reissue and surrender of Patent No. 5,842,807.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Nov 21, 2000
Date

Chun Yuen To
Chairman, General Manager
World Wide Stationery Manufacturing Co., Ltd.

RING BINDER

This invention relates to a ring binder and, in particular, a ring binder adapted to be secured by at least one rivet to a base member.

Conventionally, a ring binder is securable to a cover by rivets having a head portion engageable with the cover and a tail portion which is deformable, e.g. by punching, to engage a barrel secured to an upper plate of the ring binder.

A disadvantage associated with such a conventional ring binder is that the assembling process is both laborious and prone to error. In the first place, it is necessary to provide the assemblers with rivets properly sized and shaped to fit both the barrels and the corresponding holes in the cover. The assemblers have to secure the ring binder to the cover by first inserting the rivet through the cover, then through the barrel in the ring binder and then to deform the tail of the rivet, e.g. by punching, to engage the upper plate of the ring binder.

It is therefore an object of the present invention to provide a ring binder in which the aforesaid shortcomings are mitigated. It is also a further object of the present invention to provide a rivet to mitigate the aforesaid problems.

According to a first aspect of the present invention, there is provided a ring binder adapted to be secured to a base member by at least one securing means, the ring binder comprising a substantially rigid upper structure supporting a pivotable lower structure to which a plurality of ring members are mounted, the securing means comprising firstly an engagement member for engaging the upper structure and secondly a plurality of securing elements for securing the base member characterized in that at least a majority of the securing elements generally extend away from the longitudinal axis of the engagement member.

Advantageously, at least 75% of the securing elements may generally extend away from the longitudinal axis of the engagement member.

Conveniently, substantially all the securing elements may generally extend away from the longitudinal axis of the engagement member.

Suitably, the securing elements may be positioned substantially equidistant from the longitudinal axis of the engagement member.

The longitudinal axis of the engagement member may advantageously be transverse to the longitudinal axis of the ring binder.

The securing elements may conveniently be deformable to secure the base member.

Each securing element may suitably comprise an arcuate sector.

Advantageously, the securing elements may depend downward from a plate member of the securing means.

Conveniently, the plate member may be adapted to abut against the base member.

Suitably, the plate member may be substantially parallel to the longitudinal axis of the ring binder.

The engagement member may advantageously comprise an upper end deformable to engage the upper structure.

The engagement member may conveniently be substantially upstanding.

The upper structure may suitably comprise a recess with which the upper end of the engagement member is deformable to engage.

Advantageously, the engagement member may be integrally formed with the securing elements.

Conveniently, the engagement member may be integrally formed with the plate.

Suitably, the plate may be integrally formed with the securing elements.

According to a second aspect of the present invention, there is provided a rivet adapted to secure a ring binder to a base member, the rivet comprising an engagement member for engaging the ring binder and a plurality of securing elements for securing the base member characterized in that at least a majority of the securing elements generally extend away from the longitudinal axis of the engagement member.

Advantageously, at least 75% of the securing elements may generally extend away from the longitudinal axis of the engagement member.

Conveniently, substantially all the securing elements may generally extend away from the longitudinal axis of the engagement member.

Suitably, the securing elements may be positioned substantially equidistant from the longitudinal axis of the engagement member.

The longitudinal axis of the engagement member may advantageously be transverse to the longitudinal axis of the ring binder.

The securing elements may conveniently be deformable to secure the base member.

Each securing element may suitably comprise an arcuate sector.

Advantageously, the securing elements may depend downward from a plate member of the securing means.

Conveniently, the plate member may be adapted to abut against the base member.

Suitably, the plate member may be substantially parallel to the longitudinal axis of the ring binder.

The engagement member may advantageously be integrally formed with the securing elements.

The engagement member may conveniently be integrally formed with the plate.

The plate may suitably be integrally formed with the securing elements.

The present invention will now be discussed in further detail and with reference to the accompanying drawings, wherein:

FIG. 1 shows an underside perspective view of a ring binder according to the present invention;

FIG. 2 shows an enlarged partial view of the ring binder shown in FIG. 1;

FIGS. 3A and 3B show top perspective and underside perspective views of the rivet shown in FIGS. 1 and 2;

FIG. 4 shows a transverse cross-sectional view of the ring binder shown in FIG. 1.

FIGS. 1, 2 and 4 show a ring binder according to the present invention, generally designated as 2, as comprising a substantially rigid curved upper plate 4 supporting a pair of elongate plates 6*a* and 6*b* pivotally moveable relative to each other. Secured to the elongate plates 6*a* and 6*b* are three ring members 8. At each end of the ring binder 2 is a lever 10 which may be pivoted outwardly, e.g. by a thumb, to act upon the underside of the elongate plates 6*a* and 6*b* and thereby to open the ring members 8 in the conventional manner. Engageable with an open depression 12 near each end of the curved upper plate 4 is a rivet 30.

As shown more clearly in FIGS. 3A and 3B, the rivet 30 comprises a cylindrical body 32 having a narrower head 34 which is deformable to engage the depression 12. The rivet 30 has a substantially flat plate 36 with a number of downwardly depending claws 38, which may be deformed to engage a cardboard or plastic (e.g. PVC) cover 40. The claws 38 are formed by being pushed out from the flat plate 36. The claws 38 extend away, and are positioned

equidistantly, from the longitudinal axis **42** of the cylindrical body **32**. The cylindrical body **32**, head **34**, flat plate **36** and claws **38** are all integrally formed, so as to enhance the strength of the rivet **30**. When assembled, the flat plate **36** abuts against that surface of the cover **40** facing the ring binder **2**. Such an arrangement enhances the stability of the rivet **30**, hence the ring binder **2**, relative to the cover **40**.

It should be noted that the above only illustrates examples whereby the present invention may be carried out, and that further modifications and changes may be made to the above example without departing from the spirit of the invention.

I claim:

1. A ring binder adapted to be secured to a base member, the ring binder comprising

a substantially rigid integral upper structure;

a pivotable lower structure supported by said upper structure;

a plurality of ring members mounted to said lower structure; and

at least one integral securing means for securing said ring binder to said base member, said at least one securing means including

an engagement portion in direct engagement with the upper structure for attaching said securing means to said upper structure; and

a plurality of securing elements for securing said ring binder to the base member, at least 75% of said elements extending away from a longitudinal axis of the engagement portion.

2. A ring binder according to claim **1** further characterized in that substantially all the securing elements generally extend away from the longitudinal axis of the engagement portion.

3. A ring binder according to claim **1** further characterized in that the securing elements are positioned substantially equidistant from the longitudinal axis of the engagement portion.

4. A ring binder according to claim **1** wherein the ring binder has a longitudinal axis and is further characterized in that the longitudinal axis of the engagement portion is transverse to the longitudinal axis of the ring binder.

5. A ring binder according to claim **1** further characterized in that the securing elements are deformable to secure the base member.

6. A ring binder according to claim **1** further characterized in that each securing element comprises an arcuate sector.

7. A ring binder according to claim **1** further characterized in that the engagement portion is substantially upstanding.

8. A ring binder according to claim **7** further characterized in that the upper structure comprises a recess with which the upper end of the engagement portion is deformable to engage.

9. A ring binder according to claim **1** further characterized in that the securing elements depend downward from a plate member of the securing means.

10. A ring binder according to claim **9** further characterized in that the plate member is adapted to abut against the base member.

11. A ring binder according to claim **9** wherein the ring binder has a longitudinal axis and is further characterized in that the plate member is substantially parallel to the longitudinal axis of the ring binder.

12. A ring binder according to claims **1**, **9**, **10** or **11** further characterized in that the engagement portion comprises an upper end deformably to engage the upper structure.

13. A ring binder according to claim **1** further characterized in that the securing elements are positioned substantially equidistant from the longitudinal axis of the engagement portion;

the securing elements depend downward from a plate member of the securing means, wherein said plate member is adapted to abut against the base member; and

the engagement portion comprises an upper end deformably to engage the upper structure.

14. A ring binder according to claims **9** or **13** further characterized in that the engagement portion is integrally formed with the securing elements.

15. A ring binder according to claims **8** or **13** further characterized in that the engagement member is integrally formed with the plate.

16. A ring binder according to claims **1** or **13** further characterized in that the plate is integrally formed with the securing elements.

17. A ring binder according to claim **13** further characterized in that

the engagement member is integrally formed with the securing elements and the plate; and

the plate is integrally formed with the securing elements.

* * * * *

18. A ring binder adapted to be secured to a base member, the ring binder comprising:

a substantially rigid upper structure;

a pivotable lower structure supported by said upper structure;

a plurality of ring members mounted to said lower structure; and

at least one integral securing fastener for securing said ring binder to said base member, said at least one securing means including,

an engagement portion in direct engagement with the upper structure for attaching said securing fastener to said upper structure; and

a plurality of securing elements for securing said ring binder to the base member, at least 75% of said elements extending away from a longitudinal axis of the engagement portion.

19. A ring binder adapted to be secured to a base member, the ring binder comprising:

a substantially rigid upper structure;

a pivotable lower structure supported by said upper structure;

a plurality of ring members mounted to said lower structure; and

at least one integral securing fastener for securing said ring binder to said base member, said at least one securing means including,

an engagement portion in direct engagement with the upper structure for attaching said securing fastener to said upper structure, and

securing elements for securing said ring binder to the base member, the securing elements each having a free end located at the end of the securing fastener farthest from the engagement portion, at least 75% of said elements extending away from a longitudinal axis of the engagement portion.

20. A ring binder as set forth in claim 19 wherein the securing elements all have substantially the same length.

21. A ring binder as set forth in claim 19 wherein the free ends of the securing elements lie substantially in the same plane.

22. A ring binder as set forth in claim 19 wherein the engagement portion comprises a generally tubular body having an upper end engaging the upper structure, the securing elements being located remotely from the upper end of the tubular body.

23. A ring binder as set forth in claim 22 wherein the tubular body and securing elements are integrally formed.

24. A ring binder as set forth in claim 23 wherein the tubular body and securing elements are formed as one piece.

25. A ring binder as set forth in claim 24 wherein the securing fastener further comprises a flat plate engageable with the base member, and wherein the securing elements depend from the flat plate.

26. A ring binder as set forth in claim 25 wherein the tubular body, the flat plate and the securing elements are integrally formed.

27. A ring binder as set forth in claim 26 wherein the tubular body, the flat plate and the securing elements are formed as one piece.

ABSTRACT

A ring binder adapted to be secured to an article by at least one integral rivet, the ring binder comprising a substantially rigid integral upper plate supporting a pair of pivotable lower plates to which a plurality of ring members are mounted, the rivet comprising (1) a barrel that is in direct engagement with the upper plate and (2) a plurality of claws for securing the article, wherein at least 75% of said claws extend away from a longitudinal axis of the barrel. Also disclosed is a rivet adapted to secure a ring binder to an article, the rivet comprising (1) a barrel for engaging the ring binder and (2) a plurality of claws for securing the article, wherein at least a majority of the claws generally extend away from a longitudinal axis of the barrel.

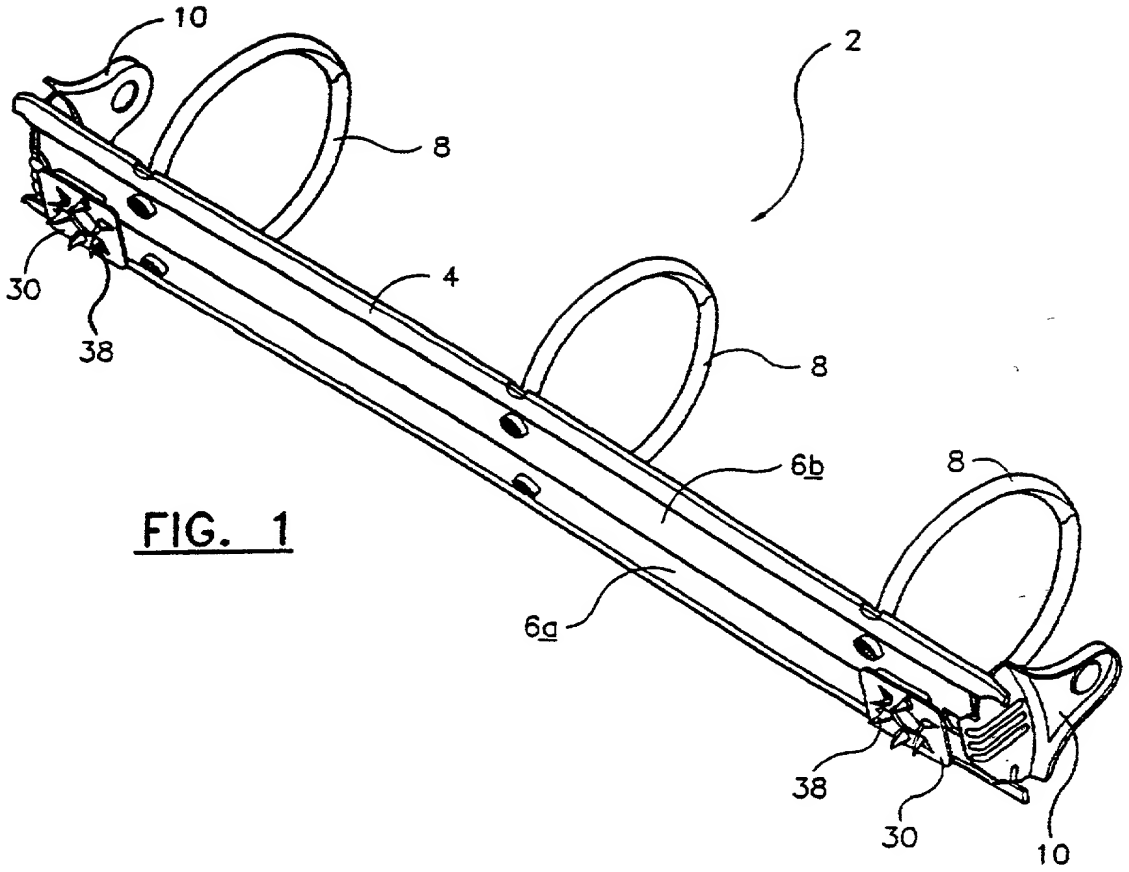

FIG. 1

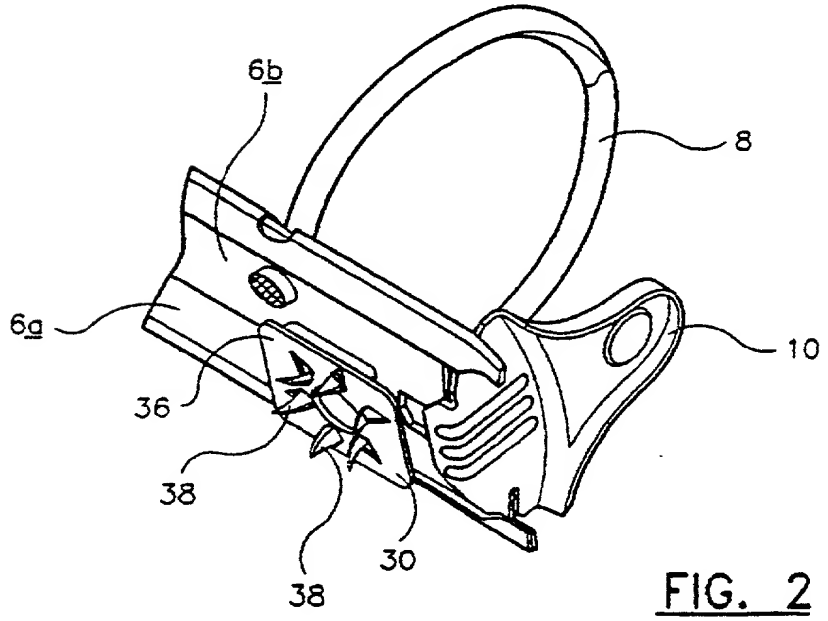

FIG. 2

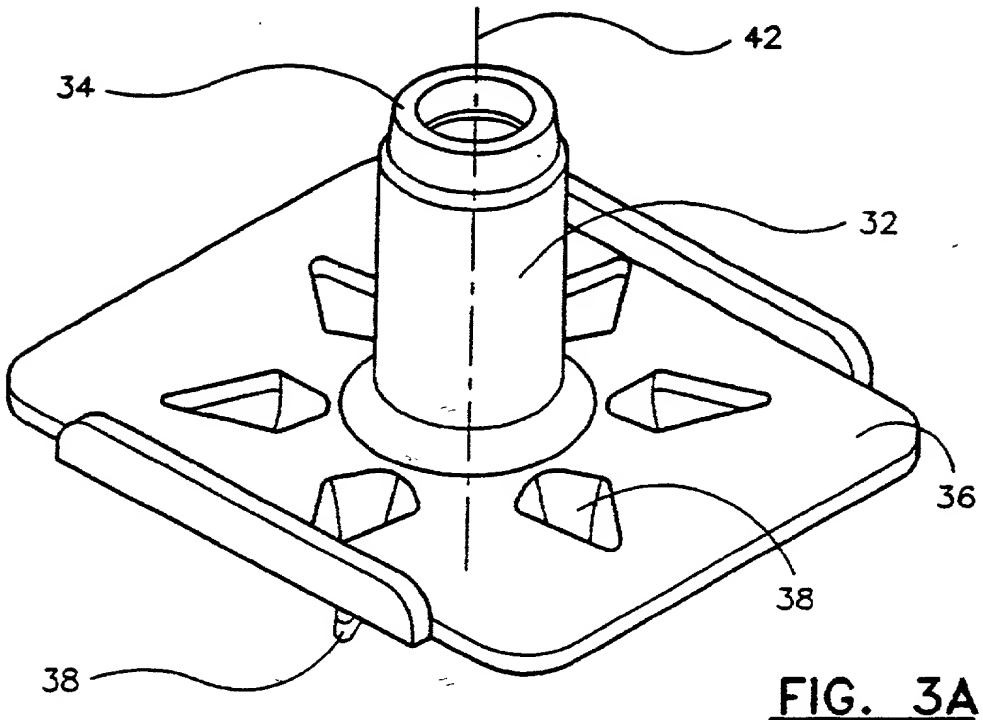

FIG. 3A

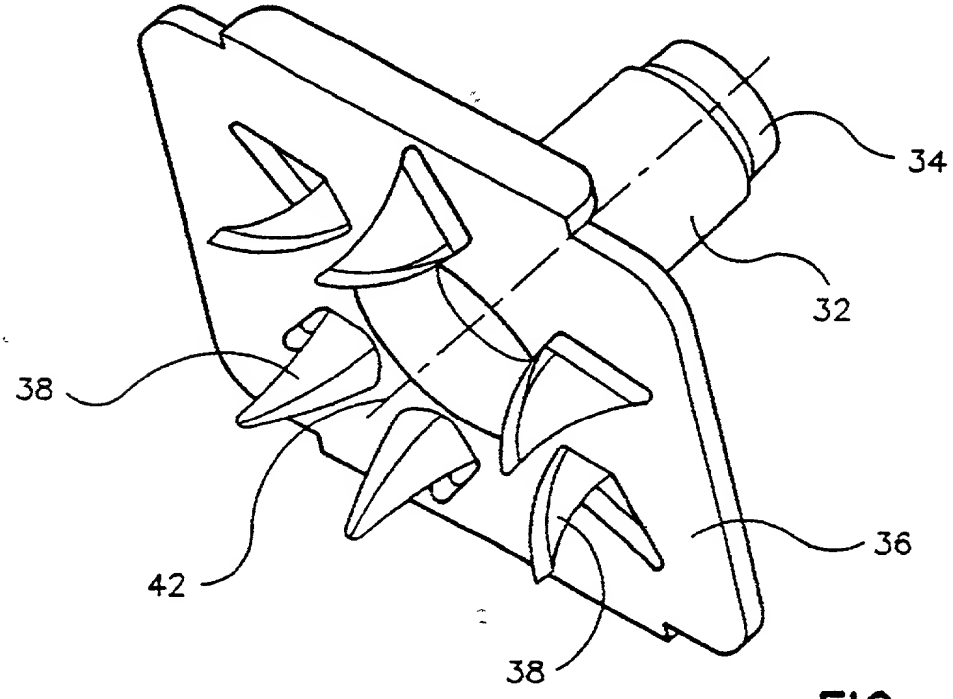

FIG. 3B

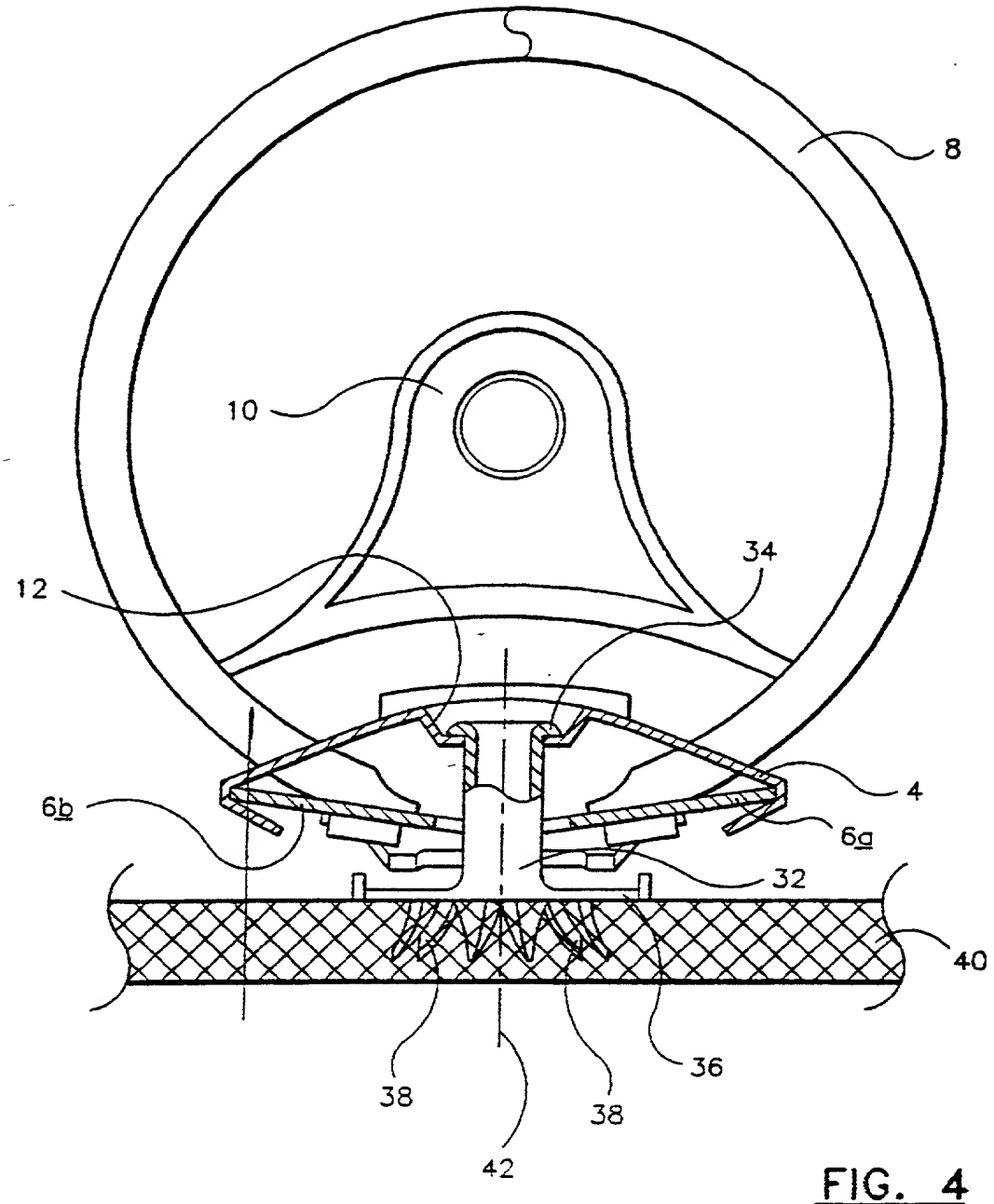

FIG. 4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Reissue Application No. (TO BE ASSIGNED)
Filed (TO BE ASSIGNED)
Patent No. 5,842,807
Granted December 1, 1998
Patentee Chun Yuen To
For RING BINDER

REISSUE APPLICATION DECLARATION AND POWER OF ATTORNEY

1. As the below named inventor, I hereby declare that my residence and post office address is as stated below.

2. I believe I am the original, first and sole inventor of the invention described and claimed in Patent No. 5,842,807 granted December 1, 1998, "RING BINDER" for which invention I solicit a reissue patent.

3. I hereby state I have reviewed and understand the contents of the above-identified reissue application, including the claims.

4. I acknowledge the duty to disclose all information known to be material to patentability of this application in accordance with 37 C.F.R. § 1.56.

5. I believe the original patent to be partly inoperative by reason of claiming less than I had the right to claim in the patent. One error upon which I rely as the basis for reissue is claim 1 requires "a substantially rigid *integral* upper structure". The newly presented claims eliminate the requirement the upper structure be integral. Another error relied upon from claim 1 is "securing **means** for securing said ring binder to said base member". Applicant seeks by this reissue application to add a new claim 18 similar to claim 1, but replacing the foregoing means-plus-function language, which would require reference to the specification for

interpretation pursuant to 35 U.S.C. §112(6), with "securing fastener". Moreover, new independent claim 19 is changed from original claim 1 with regard to "securing means" (as described for claim 18), and also clarifies that the securing elements referred to in claim 19 are intended to be securing elements which have ends located at the end of the securing fastener "farthest from the engagement portion".

6. I hereby state that all errors corrected in this reissue application arose without any deceptive intent on the part of Applicant.

7. I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Irving Powers (15,700), Donald G. Leavitt (17,626), John K. Roedel, Jr. (25,914), Michael E. Godar (28,416), Edward J. Hejlek (31,525), William E. Lahey (26,757), Richard G. Heywood (18,224), Frank R. Agovino (27,416), Kurt F. James (33,716), G. Harley Blosser (33,650), Paul I. J. Fleischut (35,513), Vincent M. Keil (36,838), Robert M. Evans, Jr. (36,794), Robert M. Bain (36,736), Joseph A. Schaper (30,493), Kathleen M. Petrillo (35,076), David E. Crawford, Jr. (38,118), Paul A. Maddock (37,877), Richard L. Bridge (40,529), Christopher M. Goff (41,785), James E. Butler (40,931), Derick E. Allen (43,468), Matthew L. Cutler (43,574), Michael G. Munsell (43,820), Karen Y. Hui (44,785), Anthony R. Kinney (44,834), Brian P. Klein (44,837), Sarah J. Chickos (46,157), Donald W. Tuegel (45,424), Steven M. Ritchey (46,321), Michael J. Thomas (39,857), Kathryn J. Doty (40,593), and Laura R. Polcyn (47,000), all of the law firm of SENNIGER, POWERS, LEAVITT & ROEDEL, One Metropolitan Square, 16th Floor, St. Louis, Missouri 63102.

Direct all communications about the application to Customer Number 000321, to the attention of Kurt F. James.

8. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

- -

Full name of sole or first inventor Chun Yuen To

Inventor's signature _____ Date Nov 21, 2000

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